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UTC PALO ALTO

NO. 6141 P. 1/8

PTO FAX NO.: 703-872-9306

ATTENTION: Examiner Ardin Marschel

Atty Docket No. 018547-025010US

Group Art Unit 1631

## OFFICIAL COMMUNICATION

### FOR THE PERSONAL ATTENTION OF

**EXAMINER Ardin Marschel**

#### CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following document(s) in re Application of Mark Chee et al., Application No. 08/856,376, filed May 14, 1997 for POLYMORPHISMS IN HUMAN MITOCHODRIAL DNA is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

#### Document(s) Attached

1. Transmittal form (1 p.);
2. Fee Transmittal and duplicate (2 pp.);
3. Petition to Extend Time and duplicate (2 pp.); and
4. Notice of Appeal and duplicate (2 pp.).

Number of pages being transmitted, including this page: 8

Dated: February 11, 2002

  
Paula Faulk Hurley

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	<b>Application Number</b>	08/856,376
	<b>Filing Date</b>	May 14, 1997
	<b>First Named Inventor</b>	Chee, Mark
	<b>Group Art Unit</b>	1631
	<b>Examiner Name</b>	Ardin Marschel
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b> 018547-025010US

<b>ENCLOSURES (check all that apply)</b>		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.	

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm and Individual name	Townsend and Townsend and Crew LLP Joe Liebeschuetz	Reg. No. 37,505
Signature		
Date	February 11, 2002	

<b>CERTIFICATE OF MAILING</b>		
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. (703) 872-9308 on February 11, 2002.		
Typed or printed name	Paula Faulk Hurley	
Signature		Date February 11, 2002

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**FEE TRANSMITTAL  
for FY 2001**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT (\$)** 720**Complete If Known**

Application Number	08/656,376
Filing Date	May 14, 1997
First Named Inventor	Chee, Mark
Examiner Name	Ardin Marschel
Group Art Unit	1831
Attorney Docket No.	018547-025010US

**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

20-1430

Deposit  
Account  
Name

Townsend and Townsend and Crew LLP

- ☒
- Charge Any Additional Fee Required
- 
- Under 37 CFR 1.16 and 1.17
- 
- ☒
- Applicant claims small entity status.
- 
- See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money  
Order ☐ Other
**FEE CALCULATION****1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	180	214	60	Provisional filing fee	

**SUBTOTAL (1)**

(\$)

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
20**	=	X	=
Independent Claims	3**	=	X
Multiple Dependent		X	=

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	64	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

(\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
138	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	400
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,380	228	690	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	320
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
128	180	128	180	Submission of Information Disclosure Sheet	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.128(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.128(b))	
179	740	279	370	Request for Continued Examination (RCE)	
189	900	189	900	Request for expedited examination of a design application	

Other fee (specify)

The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$720)

**SUBMITTED BY**

Name (Print/Type)

Joe Liebeschütz

Registration No. (Attorney/Agent)

37,505

**Complete (if applicable)**

Telephone

650-328-2400

Signature

Date

February 11, 2002

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